



**DEFENSE LOGISTICS AGENCY**  
**HEADQUARTERS**  
**8725 JOHN J. KINGMAN ROAD**  
**FORT BELVOIR, VIRGINIA 22060-6221**

October 25, 2019

Mr. John Day  
Day & Day, Inc.  
22648 Glenn Drive, Suite 102  
Sterling, VA 20164  
[john@dayandday.com](mailto:john@dayandday.com)

Mr. Day,

This disposition letter addresses your Freedom of Information Act (FOIA) request for abstract records. Your FOIA request was received on September 19, 2019 and assigned the FOIA control number of DLA-LANDM-2019-003884.

Enclosed are the records we have in response to your request which are released in part pursuant to 5 U.S.C. § 552(b)(4) and 5 U.S.C. § 552(b)(5).

Due to changes in the DoD FOIA Regulation (32 CFR Part 286, Jan. 5, 2017) and following consultation with DLA Office of General Counsel, DLA has determined that releasing both the Commercial and Government Entity (CAGE) code and the unit price bid of losing bidders would likely constitute release of commercial proprietary information.

As economic theory more strongly supports the value to the market of release of unit price bid vice CAGE code, DLA has determined that the CAGE code of losing bidders must be withheld in accordance with Exemption 4 of the FOIA, 5 U.S.C. § 552(b)(4). Pursuant to Exemption 4, certain non-government financial information is exempt from disclosure. Exemption 4 protects: trade secrets; or information that is commercial or financial, obtained from a person or entity outside of the U.S. Government, and privileged or confidential.

Internal control numbers associated with funding citations as well as pricing logic elements are withheld under Exemption 5 of the FOIA, 5 U.S.C. § 552(b)(5), which protects internal deliberative records and records the release of which would likely place the government at a competitive disadvantage in the procurement process.

This agency decision concludes the processing of your request(s) referred to above. You have the right to appeal this partial denial. An appeal must be made in writing to DLA FOIA Appellate Authority within 90 calendar days from the date of this letter, and no later than 5:00 pm Eastern Standard Time. The appeal should include your reasons for reconsideration and enclose a copy of this letter. An appeal may be submitted at <https://foiaonline.gov> or mailed. Appeals are to be addressed to the:

Information Governance and Compliance Office  
Defense Logistics Agency, Suite 1326  
ATTN: FOIA Appeal  
8725 John J. Kingman Road  
Fort Belvoir, Virginia 22060-6221

You have the right to dispute this partial denial. You have the right to seek dispute resolution services from either the Office of Government Information Services (OGIS) or DLA FOIA Public Liaison. As part of the 2007 FOIA amendments, the OGIS was created to offer mediation services. Similarly, as part of the FOIA Improvement Act of 2016, DLA established a FOIA Public Liaison to offer mediation services. Both OGIS and the DLA Public Liaison will assist in resolving disputes between FOIA requesters and DLA as a non-exclusive alternative to an appeal. Using OGIS or the DLA FOIA Public Liaison for mediation services does not affect your right to pursue an appeal nor does it stay the appeal clock. You may contact OGIS or the DLA Public Liaison at:

Office of Government Information Services  
National Archives and Records Administration  
Room 2510  
8601 Adelphi Road  
College Park, MD 20740-6001

DLA FOIA Public Liaison  
Lewis Oleinick, CIPP/US/G  
Defense Logistics Agency  
Suite 1567, ATTN: J67C (IGC)  
8725 John J. Kingman Rd.  
Fort Belvoir, VA 22060-6221

E-mail: [ogis@nara.gov](mailto:ogis@nara.gov)  
Telephone: 202-741-5770  
Facsimile: 202-741-5769  
Toll-free: 1-877-684-6448

[FOIA.Liaison@dla.mil](mailto:FOIA.Liaison@dla.mil)  
571-767-6194

The balance for your FOIA request on the enclosed invoice is now due. **For greater payment efficiency, our agency no longer accepts mailed checks and money orders. Please go to [pay.gov](https://pay.gov) for payment options.** Please go to the website, place “dla” in the search, scroll down and choose DFAS Columbus Form 6335. **Attached for your convenience is a step-by- step instruction guide for using pay.gov.** Please email your payment confirmation (receipt) to [Foia\\_payment@dla.mil](mailto:Foia_payment@dla.mil), so we can properly credit your FOIA account.

If you have any questions concerning this response, please direct them to Tyler J. Stewart (FOIA Specialist) via e-mail to [Tyler.Stewart@dla.mil](mailto:Tyler.Stewart@dla.mil) or via telephone at 614-692-9066. Please include the **full FOIA control number** (identified above) in any subsequent communication regarding this request.

Sincerely,

TYLER J. STEWART  
FOIA Specialist